

Posted: August 30, 2011
4:00 PM
Jason Smith

BEFORE THE PUBLIC SERVICE COMMISSION

AGENDA

THIS MEETING WILL NOT BE CONDUCTED BY VIDEOCONFERENCE.

SEPTEMBER 6, 2011

I. Call Meeting to Order - **1:00 PM**, Dover

II. CONSENT AGENDA:

1. IN THE MATTER OF THE APPLICATION OF ARTESIAN WASTEWATER MANAGEMENT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICES PURSUANT TO 26 DEL. C. 203D (FILED APRIL 13, 2011 AND AMENDED JUNE 10, 2011) - PSC DOCKET NO. 11-WW-003 ("SUSSEX WASTEWATER 022811 PART 1")
-

Commission to consider Staff Memorandum and proposed Order No. 8018 granting Artesian Wastewater Management, Inc. a Certificate of Public Convenience and Necessity to provide wastewater services to fifty-eight parcels of land in Eastern Sussex County, Delaware.

2. IN THE MATTER OF THE APPLICATION OF ARTESIAN WASTEWATER MANAGEMENT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICES PURSUANT TO 26 DEL. C. 203D (FILED APRIL 13, 2011 AND AMENDED JUNE 10, 2011) - PSC DOCKET NO. 11-WW-004 ("SUSSEX WASTEWATER 022811 PART 2")
-

Commission to consider Staff Memorandum and proposed Order No. 8019 granting Artesian Wastewater Management, Inc. a Certificate of Public Convenience and Necessity to provide wastewater services to forty-six parcels of land in Eastern Sussex County, Delaware.

3. IN THE MATTER OF THE APPLICATION OF ARTESIAN WASTEWATER MANAGEMENT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICES PURSUANT TO 26 DEL. C. 203D (FILED APRIL 13, 2011 AND AMENDED JUNE 10, 2011) - PSC DOCKET NO. 11-WW-005 ("SUSSEX WASTEWATER 022811 PART 3")
-

Commission to consider Staff Memorandum and proposed Order No. 8020 granting Artesian Wastewater Management, Inc. a Certificate of Public Convenience and Necessity to provide wastewater services to thirty-six parcels of land in Eastern Sussex County, Delaware.

4. IN THE MATTER OF THE REQUEST OF THE TOWN OF OCEAN VIEW TO ABANDON THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR SUSSEX COUNTY TAX MAP PARCEL NUMBERS 134-12.00-773.00, 134-12.00-1367.00, 134-12.00-426.01, AND 134-12.00-439.00 THROUGH 134-12.00-439.02 BY ORDER NO. 7313 (NOVEMBER 6, 2007) AND IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (FILED APRIL 15, 2011) - PSC DOCKET NO. 11-CPCN-06 ("OCEAN VIEW AREA")

Commission to consider Staff Memorandum and proposed Order No. 8021 granting The Town of Ocean View's request to abandon a Certificate of Public Convenience and Necessity for six parcels of land in Ocean View's approved territory and granting Tidewater Utilities, Inc. a Certificate of Public Convenience and Necessity to provide water services to the same six parcels of land in Ocean View, Sussex County, Delaware.

5. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (FILED APRIL 25, 2011) - PSC DOCKET NO. 11-CPCN-07 ("SOUTHWEST NEW CASTLE COUNTY")

Commission to consider Staff Memorandum and proposed Order No. 8022 granting Tidewater Utilities, Inc. a Certificate of Public Convenience and Necessity to provide water services to one parcel of land west of Clayton, New Castle County, Delaware.

6. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (FILED MAY 4, 2011) - PSC DOCKET NO. 11-CPCN-08 ("SOUTHEAST SUSSEX 4411")

Commission to consider Staff Memorandum and proposed Order No. 8027 granting Tidewater Utilities, Inc. a Certificate of Public Convenience and Necessity to provide water services to three parcels of land in Delmar, and one parcel of land east of Seaford, Sussex County, Delaware.

7. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (FILED MAY 13, 2011) - PSC DOCKET NO. 11-CPCN-09 ("KENT COUNTY DPW")

Commission to consider Staff Memorandum and proposed Order No. 8028 granting Tidewater Utilities, Inc. a Certificate of Public Convenience and Necessity to provide water services to one parcel of land in Viola, Kent County, Delaware.

8. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. §203C (FILED MAY 16, 2011) - PSC DOCKET NO. 11-CPCN-10 ("CATHELL")
-

Commission to consider Staff Memorandum and proposed Order No. 8029 granting Tidewater Utilities, Inc. a Certificate of Public Convenience and Necessity to provide water services to one parcel of land in Delmar, Sussex County, Delaware.

9. IN THE MATTER OF THE APPLICATION OF ARTESIAN WASTEWATER MANAGEMENT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICES PURSUANT TO 26 DEL. C. §203D (FILED DECEMBER 3, 2010 AND AMENDED MAY 6, 2011 AND AUGUST 19, 2011) - PSC DOCKET NO. 10-WW-007 ("ROUTE 9 AREA PART 3")
-

Commission to consider Staff Memorandum and proposed Order No. 8030 granting Artesian Wastewater Management, Inc. a Certificate of Public Convenience and Necessity to provide wastewater services to thirty-six parcels of land in Sussex County, Delaware.

10. IN THE MATTER OF THE APPLICATION OF ARTESIAN WASTEWATER MANAGEMENT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICES PURSUANT TO 26 DEL. C. §203D (FILED DECEMBER 3, 2010 AND AMENDED MAY 6, 2011) - PSC DOCKET NO. 10-WW-008 ("ROUTE 9 AREA PART 2")
-

Commission to consider Staff Memorandum and proposed Order No. 8031 granting Artesian Wastewater Management, Inc. a Certificate of Public Convenience and Necessity to provide wastewater services to fifty-two parcels of land in Sussex County, Delaware.

11. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT CHARGE ("DSIC") EFFECTIVE JANUARY 1, 2010 PURSUANT TO 26 DEL. C. §314(b)(5) (FILED NOVEMBER 30, 2009) - PSC DOCKET NO. 09-503

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT CHARGE ("DSIC") EFFECTIVE JULY 1, 2010 PURSUANT TO 26 DEL. C. §314(b)(5) (FILED MAY 26, 2010) - PSC DOCKET NO. 10-188

Commission to consider Staff Memorandum and proposed Order No. 8023 closing the above dockets.

12. IN THE MATTER OF THE APPLICATION OF HEALTHTRUST PURCHASING GROUP, L.P. FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (FILED AUGUST 24, 2011)- PSC DOCKET NO. 11-370
-

Commission to consider Staff Memorandum and proposed Order No. 8024 certifying HealthTrust Purchasing Group, L.P. as an Electric Supplier within the State of Delaware.

13. IN THE MATTER OF THE JOINT APPLICATION OF PAETEC HOLDINGS CORP., PAETEC COMMUNICATIONS, INC., MCLEODUSA TELECOMMUNICATIONS SERVICES, LLC, US LEC OF PENNSYLVANIA, LLC, TALK AMERICA, INC., CAVALIER TELEPHONE MID-ATLANTIC, LLC, INTELLIFIBER NETWORKS, LLC AND WINDSTREAM CORPORATION FOR APPROVAL TO TRANSFER INDIRECT CONTROL OF THE PAETEC REGULATED ENTITIES TO WINDSTREAM CORPORATION (FILED AUGUST 17, 2011) - PSC DOCKET NO. 11-357
-

Commission to consider Staff Memorandum addressing PAETEC Holdings Corp., PaeTec Communications, Inc., McLeodUSA Telecommunications Services, LLC, US LEC of Pennsylvania, LLC, Talk America, Inc., Cavalier Telephone Mid-Atlantic, LLC, and Intellifiber Networks, LLC, and Windstream Corporation's request to transfer indirect control of the PAETEC Regulated Entities to Windstream Corporation.

III. REGULAR AGENDA ITEMS:

1. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS (FILED AUGUST 19, 2011) - PSC DOCKET NO. 11-362
-

Commission to consider proposed Order No. 8025 opening this docket, appointing a Hearing Examiner to manage the procedural aspects of the docket, authorizing an expedited procedural schedule, and tentatively scheduling an evidentiary hearing in the matter for October 18, 2011.

2. IN THE MATTER OF THE ADOPTION OF RULES AND PROCEDURES TO IMPLEMENT THE RENEWABLE ENERGY PORTFOLIO STANDARDS ACT, 26 DEL. C. §§ 351-363, AS APPLIED TO RETAIL ELECTRICITY SUPPLIERS (OPENED AUGUST 23, 2005; REOPENED SEPTEMBER 4, 2007; AUGUST 5, 2008; SEPTEMBER 22, 2009; AUGUST 17, 2010; SEPTEMBER 20, 2011) - PSC REGULATION DOCKET NO. 56
-

Commission to consider proposed Order No. 8026 reopening docket to approve publication of proposed amended rules regarding implementation of the Renewable Energy Portfolio Standards Act, 26 Del. C. §§351-364 and establishing deadline for comments on the proposed amended rules.

3. IN THE MATTER OF THE APPLICATION OF TIDEWATER ENVIRONMENTAL SERVICES, INC. FOR AN INCREASE IN WASTEWATER RATES (FILED JULY 29, 2011) - PSC DOCKET NO. 11-329WW
-

Commission to consider Staff Memorandum regarding the hiring of a consultant to assist Staff in this matter.

IV. HEARING SCHEDULE:

V. DIRECTOR'S COMMENTS:

- (a) Staff to discuss scheduling issues pending Delmarva Power's filing of the tiered solar REC procurement program developed by the Renewable Energy Taskforce.
- (b) Administrative Matters:

N O T I C E

Pursuant to 29 Del. C. §10004(e) (2), this Agenda may be changed to include additional items including executive sessions or to delete items that arise at the time of the Commission meeting. During the Meeting, an executive session closed to the public may be called for certain purposes, including, but not limited to, strategy sessions to discuss pending or potential litigation, discussions of confidential documents, and certain personnel matters. Items marked with an "***" were added following the initial posting of the Agenda. An explanation for their addition to the Agenda is included following the description of the particular item.

Interested persons should contact the Commission at 1-800-282-8574 (within Delaware) for information or questions about the Agenda. The Agenda may also be viewed, after posting, at the Commission's Internet website found at dep.sc.delaware.gov.